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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91213098
Party	Defendant J&M Concepts, LLC
Correspondence Address	SCOTT M. HERVEY WEINTRAUB TOBIN CHEDIAK COLEMAN GRODIN 9665 WILSHIRE BLVD FL 9 BEVERLY HILLS, CA 90212-2316 UNITED STATES shervy@weintraub.com;dmoreno@weintraub
Submission	Answer
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Signature	/smh/
Date	11/26/2013
Attachments	1521958.PDF(24807 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Luxco, Inc..)	
Opposer,)	
)	
v.)	Opposition No.: 91213098
)	
J&M Concepts, LLC)	
)	
Application Serial No. 85/848239 and)	ANSWER TO NOTICE OF
85873192)	OPPOSITION
)	
Applicant.)	
_____)	

Applicant, J&M Concepts, hereby answers the Notice of Opposition of Luxco, Inc. as follows:

1. Answering paragraph number 1 of the Notice of Opposition, Applicant admits the allegations contained therein.

2. Answering paragraph number 2 of the Notice of Opposition, Applicant admits the allegations contained therein.

3. Answering paragraph number 3 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein, and accordingly denies the allegations.

4. Answering paragraph number 4 of the Notice of Opposition, Applicant admits that Opposer is the owner of the United States Trademark registrations set forth in paragraph number 4. Applicant does not have sufficient knowledge or information to form a belief as to the remaining allegations contained therein, and accordingly denies the allegations.

5. Answering paragraph number 5 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein, and accordingly denies the allegations.

6. Answering paragraph number 6 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein, and accordingly denies the allegations.

7. Answering paragraph number 7 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein, and accordingly denies the allegations.
8. Answering paragraph number 8 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein, and accordingly denies the allegations.
9. Answering paragraph number 9 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein, and accordingly denies the allegations.
10. Answering paragraph number 10 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein, and accordingly denies the allegations.
11. Answering paragraph number 11 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein, and accordingly denies the allegations.
12. Answering paragraph number 12 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein, and accordingly denies the allegations.
13. Answering paragraph number 13 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein, and accordingly denies the allegations.
14. Answering paragraph number 14 of the Notice of Opposition, Applicant admits that it on March 11, 2013 it filed the '192 Application. Applicant does not have sufficient knowledge or information to form a belief as to the remaining allegations contained therein, and accordingly denies the allegations.
15. Answering paragraph number 15 of the Notice of Opposition, Applicant denies the allegations contained therein.
16. Answering paragraph number 16 of the Notice of Opposition, Applicant admits that it on February 12, 2013 it filed the '239 Application. Applicant does not have sufficient knowledge or information to form a belief as to the remaining allegations contained therein, and accordingly denies the allegations.
17. Answering paragraph number 17 of the Notice of Opposition, Applicant denies the allegations contained therein.
18. Answering paragraph number 18 of the Notice of Opposition, Applicant denies the allegations contained therein.

19. Answering paragraph number 19 of the Notice of Opposition, Applicant denies the allegations contained therein.

20. Answering paragraph number 20 of the Notice of Opposition, Applicant denies the allegations contained therein.

21. Answering paragraph number 21 of the Notice of Opposition, Applicant denies the allegations contained therein.

22. Answering paragraph number 22 of the Notice of Opposition, Applicant denies the allegations contained therein.

AFFIRMATIVE DEFENSES

23. As a first Affirmative Defense, Applicant alleges that by Opposer's conduct and omissions, it is equitably estopped to assert any claim for relief against Applicant with respect to the matters that are the subject of the Notice of Opposition.

24. As a second and further Affirmative Defense, Applicant alleges that by Opposer's conduct and omissions, it has waived, relinquished and or abandoned any claim for relief against Applicant with respect to the matters that are the subject of the Notice of Opposition.

25. As a third and further Affirmative Defense, Applicant alleges that Opposer has failed to adequately maintain, police or enforce any trademark or proprietary rights it may once have had in its pleaded marks.

WHEREFORE, Applicant J&M Concepts, LLC prays that this Notice of Opposition be dismissed.

Dated: November 26, 2013 Respectfully submitted,

J&M Concepts, LLC

/smh/

Scott M. Hervey, Attorney for Applicant
WEINTRAUB TOBIN CHEDIAK COLEMAN GRODIN
9665 Wilshire Blvd., 9th Floor
Beverly Hills, CA 90212

PROOF OF SERVICE

I am a citizen of the United States, employed in the City of Beverly Hills, County of Los Angeles, California. My business address is 9665 Wilshire Blvd., 9th Floor, Beverly Hills, California 90212. I am over the age of 18 years and not a party to, nor interested in, the within action. On this date, I caused to be served the following document:

ANSWER TO NOTICE OF OPPOSITION

 X United States mail by placing such envelope(s) with postage thereon fully prepaid in the designated area for outgoing mail in accordance with this office's practice whereby the mail is deposited in a United States mailbox after the close of the day's business.

 By personally delivering, or causing to be delivered, a true copy thereof to the person and at the address set forth below.

 Via overnight courier.

 Via facsimile, original to follow by United States Mail

Michael R. Annis
Husch Blackwell LLP
190 Carondelet Plaza, Suite 600
St. Louis, MO 63105

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.

Executed November 26, 2013, at Beverly Hills, California.

/AC/
Adrienne Crayton